

Application No.: 10/583,319

Docket No.: JCLA21090

REMARKS

The Office issued the Advisory action on January 9, 2008, in which the amendments filed on December 31, 2007 have been considered not in compliance with 37 C.F.R. 1.121. In addition, Applicant has noted with great appreciation the allowability of claims 4-8 remains, given that the informality of claim 8 as was indicated in the action is rectified.

Claim 5 is objected to because of certain informalities as indicated in the final Office action.

As to the prior art rejections, claims 1, 3, and 9 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Ingram (USPN 4,821,666; "Ingram" hereinafter) in view of Ertl et al. (USPN 3,049,731; "Ertl" hereinafter).

For the purpose of expediting the prosecution of the application without acquiescing to the rejections, Applicant has canceled all the rejected claims 1-3 and 9 and amended the objected claim 5 in a manner consistent with the Examiner's instruction indicated in the final Office action. Besides, claim 6 has been provided with the appropriate status identifier reflecting the change previously made regarding the dependency of claim 6 has been provided according to the Examiner's indication in the Notice of Non-Compliant Amendment.

Moreover, in response to said Notice, Applicant is expected to revise the claim identifier of claim 8 to "currently amended" as was indicated by the Examiner, for claim 8 previously serving as a dependent claim of claim 5 was rewritten with the subject matter of the canceled claim 9 in the response filed on December 31, 2007. The Office

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has further indicated strikethroughs for deleted subject matter along with underlining for added subject matter should have been used. Nevertheless, it is of a clerical error that the claim 8 was mistakenly presented with the subject matter originally recited in claim 9 in the final response submitted on December 31, 2007. In order to ensure that the compliance of the formality requirement would not be jeopardized due to the improperly presented claim identifier, Applicant now cancels both claims 8 and 9, yet claim 10 incorporating the subject matter of the claim 8 as a dependent claim is newly added. Since the allowability of claim 8 depending upon the allowable claim 5 was already confirmed in the final Office action, it is respectfully submitted the newly added claim 10 encompassing the allowable subject matter of claim 8 should be allowed.

Furthermore, claims 10 and 11 are newly added in this response. Since claims 10 and 11 respectively depending upon the patentable claim 4 contain all features/elements/steps thereof, it is respectfully presented that claims 10 and 11 are also novel, non-obvious, and patentable.

Supporting grounds are provided in the disclosure of the Applicant's invention, and it is submitted that no new matter has been introduced to the application by the amendments made to the claims. In order to have the proposed amendments considered, Applicant hereby files a Request for Continued Examination (RCE) and submits the Preliminary Amendment along with said Request. Reconsideration of the application is courteously solicited.

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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 4-7 and 10-12 of the present application patentably define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date :

Feb. 4, 2008

Respectfully submitted,

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